

Customized FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.  
P06794US00/MPU.S. APPLICATION NO.  
(If known, see 37CFR 1.5)  
10/018,402**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**INTERNATIONAL APPLICATION NO.  
PCT/EP99/04628INTERNATIONAL FILING DATE  
02 JULY 1999

PRIORITY DATE CLAIMED

TITLE OF INVENTION: INTERVERTEBRAL IMPLANT

APPLICANT(S) FOR DO/EO/US: MARNAY, Thierry et al.

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

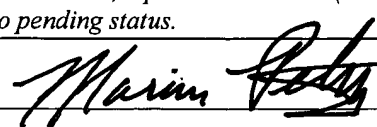
- ☐ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- ☐ 3. This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Art. 22 and 39(1).
- ☐ 4. A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
- ☐ 5. A **copy** of the International Application as filed (35 U.S.C. 371 (c)(2))
- ☐ a. is transmitted herewith (required only if not transmitted by the International Bureau).
- ☐ b. has been transmitted by the International Bureau.
- ☐ c. is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ 6. A **translation** of the International Application into English (35 U.S.C. 371(c)(2)).
- ☐ 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3))
- ☐ a. are transmitted herewith (required only if not transmitted by the International Bureau).
- ☐ b. have been transmitted by the International Bureau.
- ☐ c. have not been made; however, the time limit for making such amendments had NOT expired.
- ☐ d. have not been made and will not be made.
- ☐ 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ 9. An **oath** or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ 10. A translation of the annexes to the Int'l Prelim. Exam. Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 20. below concern document(s) or information included:**

- ☐ 11. An **Information Disclosure Statement** under 37 C.F.R. 1.97 and 1.98.
- ☒ 12. An **Assignment** document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ 13. A **First preliminary amendment**.
- ☐ 14. A **Second or Subsequent preliminary amendment**.
- ☐ 15. A **substitute specification**.
- ☐ 16. A **change of power of attorney and/or address letter**.
- ☐ 17. A **computer-readable form of the sequence listing** in accordance with PCT Rule 13ter.2 & 35 USC 1.821-825.
- ☐ 18. A **second copy of the published international application** under 35 USC 154(d)(4).
- ☐ 19. A **second copy of the English translation of the international application** under 35 USC 154(d)(4).
- ☒ 20. **Other items or information:**
- ☒ PETITION FOR EXTENSION OF TIME (37 CFR 1.136(a))
- ☐

☒ A copy of the Notification of Missing Requirements under 35 U.S.C. 371.☒ In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 17(c).

Date: 12 June 2002

U.S. APPLICATION NO. <i>(If known)</i> 10/018,402		INTERNATIONAL APPLICATION NO. PCT/EP99/04628		ATTORNEY DOCKET NO. P06794US00/MP					
<input checked="" type="checkbox"/> <b>21. The following fees are submitted:</b> <input type="checkbox"/> <b>Basic National Fee</b> (37 CFR 1.492 (a) (1)-(5): <div style="margin-left: 20px;"> <input type="checkbox"/> Neither Int'l Prelim. Exam. fee nor Int'l Search fee paid to USPTO \$1040  <input type="checkbox"/> Search Report has been prepared by the EPO or JPO \$ 890  <input type="checkbox"/> No Int'l Prelim. Ex. fee paid to USPTO but Int'l Search fee paid to USPTO \$ 740  <input type="checkbox"/> International preliminary examination fee paid to USPTPO \$ 710  <input type="checkbox"/> Int'l Prelim. Ex. fee paid to USPTO &amp; all claims satisfied PCT Art. 33(1)-(4) \$ 100 </div>					CALCULATIONS <i>PTO USE ONLY</i>				
					ENTER APPROPRIATE BASIC FEE AMOUNT =		\$		
					<input checked="" type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than from the earliest claimed priority date (37 CFR 1.492(e)).		<input type="checkbox"/> 20 mos. <input type="checkbox"/> 30 mos. +	\$ 130	
					<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>	<b>RATE</b>	
					Total Claims	54 - 20 =	0	X \$18 =	\$
Independent Claims	09 - 03 =	0	X \$84 =	\$					
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$280 =	\$					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$</b>					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				-	\$				
<b>SUBTOTAL =</b>				<b>\$ 130</b>					
<input checked="" type="checkbox"/> Fee for extension of time				+	\$ 110				
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 240</b>					
<input checked="" type="checkbox"/> Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				+	\$ 40				
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 280</b>					
06/14/2002 MKAYPAGH 00000099 10018402 01 FC:154 130.00 DP				<i>Amount to be</i>					
				Refunded	\$				
				Charged	\$				
<input checked="" type="checkbox"/> a. A <b>check</b> in the amount of \$280 to cover the above fees is enclosed. <input type="checkbox"/> b. Please charge my Deposit Account No. 12-0555 in the amount of \$ to cover the above fees. <input checked="" type="checkbox"/> c. The Commissioner is hereby authorized to charge any additional fees required or credit overpayment to Deposit Account No. 12-0555.									
<i>Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</i>									
SEND ALL CORRESPONDENCE TO:  <b>MARVIN PETRY</b>  At the address (below) of <b>CUSTOMER NO. 00881.</b>  <b>LARSON &amp; TAYLOR, PLC</b> <b>1199 NORTH FAIRFAX ST.</b> <b>SUITE 900</b> <b>ALEXANDRIA, VA 22314</b>			SIGNATURE:   NAME: Marvin Petry  REG. NO.: 22752  PHONE NO.: 703-739-4900  Date: 12 June 2002						